

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:22-cv-00201-FDW-DCK

SUI LUAI,

Plaintiff,

vs.

MOUNT VERNON FIRE INSURANCE
COMPANY,

Defendant.

ORDER

THIS MATTER is before the Court on Plaintiff Sui Luai's Unopposed Motion for Voluntary Dismissal Without Prejudice. (Doc. No. 17). Although the Court prefers a plaintiff filing for a voluntary dismissal without prejudice to do so by filing a stipulation of dismissal signed by all parties who have appeared in the matter, see FED. R. CIV. P. 41(a)(1)(ii), the Court finds Plaintiff's Motion, which Defendant did not oppose, presents a proper basis for dismissal pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. For the reasons stated therein, the Court GRANTS Plaintiff's Motion.

IT IS THEREFORE ORDERED that Plaintiff's Unopposed Motion for Voluntary Dismissal Without Prejudice is GRANTED. (Doc. No. 17). Plaintiff's sole cause of action against Defendant Mount Vernon Fire Insurance Company for breach of contract is dismissed without prejudice.

IT IS SO ORDERED.

Signed: January 5, 2023



Frank D. Whitney
United States District Judge